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PATENT
Docket No. 416272003700

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Vicki L. Henry
Vicki L Henry

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mark K. HELLERSTEIN

Serial No.: 10/664,513

Filing Date: 09/16/2003

For: BIOCHEMICAL METHODS FOR
MEASURING METABOLIC
FITNESS OF TISSUES OR WHOLE
ORGANISMS

Examiner: To Be Assigned

Group Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record. A paper copy of the pending U.S. Patent Application marked with an asterisk (*) is not provided.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **416272003700**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 27, 2004

Respectfully submitted,

By: Michael R. Ward
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number 416272003700	Application Number 10/664,513
	Applicant Marc K. HELLERSTEIN	
	Filing Date 09/16/2003	Group Art Unit 1645
	Mailing Date January 27, 2004	



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/16/1994	5,338,686	Hellerstein			
	2.	06/08/1999	5,910,403	Hellerstein			
	3.	01/04/2000	6,010,846	Hellerstein			
	4.	10/08/2002	6,461,806	Hellerstein			
	5.	05/24/2002	20030068634 A1	Hellerstein			
	6.	10/23/2002	20030133871 A1	Hellerstein			
	7.	04/04/2003	20030224420 A1	Hellerstein			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	8.	11/19/1998	WO 98/51820	WIPO			

OTHER DOCUMENTS

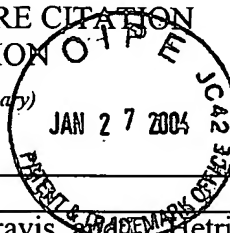
(including author, title, Date, Pertinent Pages, Etc.)

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	9.	Airhart, J., A. Vidrich, and E. A. Khairallah. Compartmentation of free amino acids for protein synthesis in rat liver. <i>Biochem J</i> 140: 539-45, 1974.
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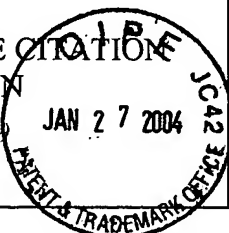
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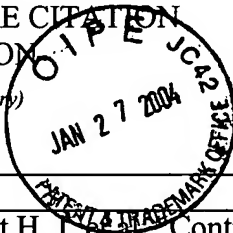
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64.		Bandsma, Robert H. J. et al. "Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol into Bile." <i>Biochem. J.</i> 329: 699-703, 1998.
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75.		Winett, Richard et al. "Exercise Regimens for Men With HIV." <i>Letters.</i> pp 175-181 & 2999
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78.		Hellerstein, Marc K. et al. "Directly Measured Kinetics of Circulating T Lymphocytes in Normal and HIV-1-Infected Humans." <i>Nature Medicine</i> , 5, No. 1: 83-89, 1999.
79.		Bingham, SA (January 1994) "The use of 24-h urine samples and energy expenditure to validate dietary assessments" <i>American Journal of Clinical Nutrition</i> 59 (1 suppl): pages 227S-231S.
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	81.	Misell, L. et al. "A New Stable Isotope Method for Measuring Mammary Epithelial Cell Proliferation." <i>Faseb Journal Experimental Biology</i> 2000 14(4): Meeting Abstract 550.5: pp A786.
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	84.	J.C. Waterlow "Protein Turnover in the Whole Animal." <i>Invest. Cell Pathol.</i> , 3: 107-119 (1980).
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